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SPEECH

OF

HON. JAMES KNOX, OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES, MAY 19, 1854.

The House being in the Committee of the Whole on the state of the Union—

Mr. KNOX said:

Mr. CHAIRMAN: On taking my seat in this Hall, I determined not to trespass on the time of Congress and the country unless I believed that some suggestion from me might aid in our deliberations. It is possible, ay, it is probable; that this rule would now seal my lips. However that may be, sir, nearly six months have elapsed since the opening of our session, and now for the first time I find myself upon this floor, under circumstances the most extraordinary—under a state of things not dreamed of when, in the canvass, I mingled with those who sent me here, and most unlooked for when, at yonder desk, I took the solemn oath to support the Constitution of the United States.

Representing a district bounded on the west by the Mississippi, and divided by the Illinois, and forming a portion of a State which, though far inland, is nearly surrounded by navigable waters, connecting it with the internal trade of the continent and the foreign commerce of the world, my constituents may have expected that on some suitable occasion I would raise my feeble voice in behalf of the wise policy of the Government in giving of its means to improve the navigation of those inland seas and noble rivers, which a bountiful Providence designed for useful purposes. Residing, too, in a district extending a hundred miles north and south, right across the pathway of the ever increasing commerce and emigration from and through the great cities and populous States of the North to the now ocean bounded West, and having in it several railroads projected and in process of construction, each claimed to be upon the best route between the Atlantic and the Pacific, those whom I am honored in representing may have supposed it possible that by something more than an affirmative vote, I would aid in the extension of these roads, and especially in laying the foundation of a great national highway, commencing at some point on the Missouri, to which these and other roads converge, and stretching its iron track far westward to the magic city of San Francisco.

Having seen and experienced something of the hardships and privations of frontier life, and watched with deep interest the slow and toilsome growth of the early settler, from the houseless,

homeless pioneer, into the substantial farmer in comfort and happiness, I was favorably impressed with the idea of throwing open to the less fortunate classes a portion of our broad domain, spread out in almost boundless extent by a beneficent Creator for the uses of man. As the humble Representative of a free people, almost equal in number to those who speak so ably through the gentlemen from Delaware and Florida here, and whose interests are so fully guarded by four honorable Senators at the other end of the Capitol, I might, perhaps, without overstepping the bounds of modesty, have claimed a passing remark upon any one of the topics to which I have referred, or any one of the minor questions discussed in the last election. Certain it is, I did not expect, my constituents did not expect, that my first remarks upon this floor could, by any possibility, be upon the subject of slavery. Nay, more, sir, if in any one of the speeches which I attempted during the canvass, running through several weeks, and covering eleven large counties, I had intimated that the repeal of the Missouri compromise was to be the great question before this Congress, the statement would have been received with astonishment. If in any one of those speeches, I had had the hardihood and the folly to assert, that if elected, I would advocate the repeal of that time-honored compromise between the South and the North, my eloquent competitor, not I, would have been here to tell the tale of that contest. Yes, sir, if avoiding that simple, old fashioned word "repeal," and with those magic words "self-government," "liberty," the "Constitution" upon my lips, words which do, and I trust ever will find a way to the American heart, I had, in connection with this subject, artfully insinuated those newly invented legislative terms of this "progressive age," "superseded," "inconsistent with," "inoperative and void," that competitor might have told you that I had succeeded beyond his expectations in making the "slowest (political) race" on record.

I submit to other gentlemen on this floor whether, under similar circumstances, and with a like avowal of purpose, they would not, like myself, now be treading the quiet walks of private life.

Mr. Chairman, I ask your indulgence, and that of this committee, in some remarks upon the bill now under consideration. In the House, in the Senate bill, and in the substitute offered by my col-

league, [Mr. RICHARDSON,] there are, in my judgment, many objectionable features; but there is one which overshadows them all. I need hardly say, that is the clause which repeals the Missouri compromise, and my objection to that clause is strengthened by the conviction that the repeal of that compromise supersedes whatever of compromise there was about the legislation of 1850, which politicians and parties and conventions have denominated "compromise measures." The "acts" themselves will stand upon our statute-book, as does the Missouri act now, until repealed by Congress. But, sir, it is my firm belief that the spirit of kindness, of forbearance, of conciliation, of concession; in a word, the spirit of compromise which brought Missouri into the Union, suggested and laid the foundations for the legislation of 1840-'50. Instead of being in any way impaired by the measures of 1850, the Missouri compromise was indorsed and confirmed thereby, if there be any binding efficacy in the acts and language of men, which is not secured under their hands and seals.

Let me ask what caused the agitation and excitement of 1848, 1849, and 1850, and to what do the laws of 1850, which are claimed to bear upon the bill before us, refer? The agitation of that time grew out of the territory acquired by us from Mexico, by the treaty of peace with that country. It is not necessary, to my present purpose, to even allude to the causes of and the history of the war with Mexico. It is enough here to say that at its close an immense territory, stretching far southward on the Pacific coast, was added to the Union, over which the South hoped, and the North feared the area of slavery would be extended. When the Thirty-First Congress assembled, California, with a constitution formed by her people, excluding slavery, asked admission into the Union. The North were in favor of her admission and of excluding slavery from all other new territory, and of prohibiting the slave trade in the District of Columbia. The South opposed the admission of California, the prohibition of the slave trade in this District, complained that their fugitive slaves were not delivered up in the free States, as required by the Constitution, and threatened secession and disunion. Texas, admitted into the Union as a slave State, with undefined boundaries, claimed by her as extending over no small portion of the territory ceded by Mexico, furnished another item in the ingredients which at the opening of Congress, in December, 1849, seemed (here at least) to threaten the overthrow of the Government.

At this critical moment came forward a man in the United States Senate to exert his influence in quieting the troubled waves of political and sectional strife. That man was Henry Clay, of Kentucky—I had almost said, but will not say, for his name and fame belong to the Union—and Congress and the country breathed easier under the conviction that the same genius, and eloquence, and patriotism, and devotion to the great principles of liberty, which had commanded the admiration of the world, and which had again and again quieted the commotions of parties and of sections would, with the increase of age and experience, once again compromise the then existing difficulties of the country. Why was it that men of all sections and parties yielded to him the high position of mediator at this perilous crisis? Was it not because it was believed that he who had been mainly instrumental in quieting the slavery excitement,

growing out of the acquisition of French territory, was the very man to allay a similar excitement growing out of our Mexican acquisitions.

As connected with the difficulties of 1850, it seems to me that a simple reference to the facts, the measures, and the men, will satisfy any reasonable mind that the legislation of 1850, so far from weakening, strengthened and confirmed the Missouri compromise of 1820.

It has, however, been so strenuously insisted that the Missouri compromise was no compromise, and if so, was superseded by the legislation of 1850, that no excuse need be made for adducing some evidence to the contrary.

I refer first to a speech made in the Senate on the 27th May, 1850, by Mr. Mason, of Virginia. (Vol. 22, part 1st, App., p. 650, May 27, 1850.)

After speaking of the "Clayton bill" as one mode of adjustment sanctioned by southern votes, he says:

"But there is another, far better understood, and which has the sanction of an acquiescence of thirty years. Falling back on the basis of compromise adopted on the admission of Missouri, let us take the parallel of 36° 30' as the line of partition in the new Territories, thus agreeing to divide and enjoy separately a common property, what our different institutions would seem to forbid that we should enjoy in common. Either form of adjustment, I have little doubt, would be found acceptable to the South."

Again he says:

"But let it not be supposed that I am at all the eulogist of the original Missouri compromise."

Here Mr. Mason admits the existence of the Missouri compromise; gives it the sanction of thirty years acquiescence. What becomes of the arguments of gentlemen to show that there was no such compromise, and of other gentlemen to show that it had been repudiated? Mr. Mason again speaks of the "basis of compromise," and says: "Let us take the parallel of 36° 30' as the line of partition in the new Territories, will any man say that, in his judgment, the original Missouri compromise had reference to any territory except that acquired from France in 1803?" Why, sir, the letter from Mr. Pinckney, of South Carolina, which has been frequently referred to, to show that the Missouri act was a southern triumph, repels the presumption that it was intended to affect any territory but that embraced in the bill:

CONGRESS HALL, March 2, 1820, }
3 o'clock at night.

DEAR SIR: I hasten to inform you that this moment we have carried the question to admit Missouri and all Louisiana to the southward of 36° 30' free of the restriction of slavery, and give the South, in a short time, an addition of six, and perhaps eight, members to the Senate of the United States. It is considered here by the slaveholding States as a great triumph. The votes were close—ninety to eighty-six, [the vote was so first declared]—produced by the seceding and absence of a few moderate men from the North. To the north of 36° 30' there is to be, by the present law, restriction, which you will see by the votes I voted against. But it is at present of no moment. It is a vast tract, uninhabited only by savages and wild beasts, in which not a foot of the Indian claim to soil is extinguished, and in which, according to the ideas prevalent, no land office will be open for a great length of time.

With respect, your obedient servant,

CHARLES PINCKNEY.

Mr. Pinckney, instead of looking to the extension of territory to the Pacific, was only looking to the remote period when land offices were to be established in the Territory of Nebraska.

Mr. Chairman, the eloquent gentleman from Georgia, in his speech of February last, with a great flourish of trumpets, calls up Daniel Webster, and places him upon the stand in his place in the Senate, on the 17th day of June, the identi-

cal day when, upon Mr. Soule's motion, this amendment was voted into the compromise bill:

"And when the said Territory, or any portion of the same, shall be admitted as a State, it shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of admission."

With artistic skill he pictures the scene with New England's renowned statesman in the foreground. Passing by all that was said by Mr. Webster on that occasion which had any bearing upon the proposition before the Senate, he recites only the concluding remarks of that great man, which, however eloquent they may be, certainly have little connection with Mr. Soule's amendment, and straightway the Senate, the galleries, the whole Capitol, and the city, were in ecstasies, and the electric wires trembled with the gladsome news which was to make the nation leap with joy. I read them:

"Sir, my object is peace, my object is reconciliation. My purpose is not to make up a case for the North, or to make up a case for the South. My object is not to continue useless and irritating controversies. I am against agitators North and South. I am against local ideas North and South, and against all narrow and local contests. I am an American, and I know no locality in America. That is my country. My heart, my sentiments, my judgment, demand of me that I should pursue such a course as shall promote the good, and the harmony, and the union of the whole country. This I shall do, God willing, to the end of the chapter."

Let me examine the gentleman's witness for a moment. I read from his speech on that occasion. In it he says he voted against the Wilmot proviso; has not seen much practical utility in Mr. Soule's amendment; but if he should vote against it, it might leave him open to the suspicion of wishing to see that accomplished in another way hereafter which he did not choose to see accomplished by the Wilmot proviso:

"I shall vote for it exactly on the same grounds that I voted against the introduction of the proviso. And let it be remembered that I am now speaking of New Mexico, Utah, and other Territories acquired by Mexico, and of nothing else. I confine myself to these; and as to them, I say that I see no occasion to make provision against slavery now, or to reserve to ourselves the right to make such provision hereafter. All this rests on the most thorough conviction that, under the law of nature, there never can be slavery in these Territories. That is the foundation of all. And I voted against the proviso, and I vote now in favor of this amendment, for the reason that all restrictions are unnecessary, absolutely unnecessary."

And he desired not to give offense.

Did Mr. Webster vote for this proposition with the expectation that it should be used as a weapon to strike down the Missouri compromise?

Mr. Chairman, it is one of the old expedients of lawyers to array on their side men of character and standing as witnesses in a desperate cause. We have an example in point in the recent murder case in Kentucky, where the able counsel for the defense, not content with the great men of the vicinage, had the attendance of gentlemen of high standing from this city. The gentleman from Georgia has shown his skill in the use of this expedient. It was adroitly managed, and if any of my friends ever have a desperate case in the courts of Georgia, I shall certainly advise them to give him a "retainer."

I need not say to you, Mr. Chairman, that this little amendment of Mr. Soule, which is found in the acts organizing the Territories of Utah and New Mexico, contains the great principles gravely set forth in the fourteenth section of the bill reported to the House by the chairman of the Committee on Territories [Mr. RICHARDSON] on the 31st of January last, in these words:

"Except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which was superseded by the principles of the legislation of 1850, commonly called the compromise measures, and is hereby declared inoperative."

Is it not remarkable that this little amendment of Mr. Soule, which sent such a thrill of joy through the Capitol, this city, and the country, and caused the telegraphic wires to tremble with ecstasy; this amendment, which contained such wonderful principles, was entirely forgotten at the last Congress, when a bill organizing the Territory of Nebraska, containing no reference to it or the Missouri compromise, passed this House by a vote of more than two to one?

Is it not passing strange that the gentleman from Georgia, who, as he tells us, "was there and witnessed the scene," and heard Mr. Webster in the Senate on that memorable 17th June, when Mr. Soule's amendment was adopted, did not rise in his place and offer it as an amendment to that bill? Sir, the gentleman did not raise his voice against that bill. He did not even record his vote against it. Sir, there are two words in the bills before us which explain all the mystery connected with the action of the last Congress upon this subject. Then the clause in the Utah and New Mexico bills was deemed "*locally inapplicable*" to Nebraska!

Well, sir, on the 17th day of June, this great principle was adopted in the Senate; and we ought, perhaps, to have expected that nothing more would be heard of the Missouri compromise. But not so; on the 18th day of July, Mr. Davis, then Senator from Mississippi, now Secretary of War, said: "The proposition of the Nashville convention to divide the Territory by the parallel of 36° 30'," and he spoke of it as "preferable to a new line, because of the prescriptive claim it has, and the respect it enjoys among the people as a measure sanctified by time, and still more by the blessings it brought on our country at a time of serious, even alarming agitation."

And again, on the 2d of August, Mr. Davis said of the same parallel:

"I expect there are none who hear me who will deny that that line will give an amount of satisfaction which no other line could give."

Can it be believed that Mr. Davis considered the act of 1820 "inoperative and void?"

On the same day, August 2d, Mr. BADGER, of North Carolina, made a speech upon this subject, from which I feel warranted in reading a pretty long extract, on account of his long amendment to the bill:

"We just stand right here, and ask for and enforce our reasonable claims. What have we asked of our northern friends, and how have we asked it? We have used—certainly I have used—no language either of defiance or even of demand. We have been content earnestly and disinterestedly to ask—yes, to entreat, not insolently to dictate or require. We have said, do not wantonly what you know will be regarded amongst us as affrontful, unkind; do not apply to these Territories the Wilmot proviso. You can have no notice to apply it, unless it be a paltry pride which leads you to persevere at all hazards in what you have once purposed—the simple willingness to offer an affront because you have the power to offer it. There is nothing of value to be accomplished by it; no result to be produced—none in the world. Ours has been simple asking on the part of men who can hold out no longer, to be permitted to march out of their fortifications with their side arms and their flag flying."

Again he says:

"Now, sir, beyond the omission of a useless, and, among southern men, oppressive proviso, we have asked only a good and effectual law for the surrender of fugitive slaves—a measure which the Constitution makes a clear and imperative duty."

If I mistake not, it was upon the suggestion of this distinguished Senator that the word inconsistent took the place of "superseded." Now, sir, I can readily imagine, as connected with the repeal of the Missouri compromise, how the word inconsistent was brought to his mind. It passes my comprehension how he came to give it the application which he did.

As a document full of meaning, I will refer to the declaration and pledge of forty-four members of the Thirty-First Congress, in which they agreed not to support for office any person not opposed to disturbing the settlement of 1850, and "to the renewal, in any form, of agitation upon the subject of slavery."

Permit me to call the attention of the committee to some extracts from a speech made by Mr. DOUGLAS in the Senate, December 23, 1851. In that he says, in substance, that he, as chairman of the Committee on Territories, drew and reported bills for the admission of California, for territorial governments for Utah and New Mexico, and for the settlement of the Texas boundary question, which were printed. These bills Mr. Clay wafered together and reported in his omnibus bill, which he supported as a joint measure, and supported each measure separately. He adds:

"Mr. President, I claim no credit for having originated and proposed the measures contained in the omnibus. There was no peculiar or remarkable feature in them. They were merely ordinary measures of legislation, well adapted to the circumstances, and their sole merit consisted in the fact that separately they could pass both Houses. Being responsible for these bills, I wish to call the attention of the Senate and the country to the fact that they contained no prohibition of slavery, no provision upon the subject."

Again, Mr. DOUGLAS says:

"In taking leave of this subject, I wish to state that I have determined never to make another speech upon the slavery question; and I will now add the hope that the necessity for it will never exist."

I apprehend, Mr. Chairman, if the honorable Senator had adhered to that wise determination, he would have saved himself, many here, and many elsewhere, the necessity of making speeches upon the slavery question.

I now pass to a later period; to a day when the great American heart was filled with sadness by the death of Henry Clay, and this Hall was shrouded in gloom, and eloquent men were here to speak of the life, the character, and the public services of the illustrious dead.

At an early day in this session I had the pleasure to reperuse the touching and truthful tributes of respect paid to his memory on that mournful occasion; but with none of the addresses then delivered was I more forcibly impressed than with that by the eloquent gentleman from Kentucky, [Mr. BRECKINRIDGE,] already referred to by my friend from Tennessee, [Mr. CULLOM.] From this I propose to read more fully than he. I read from that speech as reported in the Congressional Globe, vol. 24, p. 1638.

"Sir, it will be a proud pleasure to every true American heart to remember the great occasions where Mr. Clay displayed a sublime patriotism. When the ill temper engendered by the times, and the miserable jealousies of the day, seemed to have been driven from his bosom by the expulsive power of nobler feelings; when every throbbing of his heart was given to his country. Who does not remember the three periods when the American system of government was exposed to its severest trials; and who does not know that when history shall relate the struggles which preceded, and the dangers which were averted by the Missouri compromise, the tariff compromise of 1832, and the

adjustment of 1850, the same pages will record the genius, the eloquence, and the patriotism of Henry Clay!"

"Nor was it in Mr. Clay's nature to lag behind until measures of adjustment were matured, and then come forward to swell a majority. On the contrary, like a bold and real statesman, he was ever among the first to meet the peril and hazard his fame upon the remedy."

I wish I could stop here, but justice to the character of that distinguished patriot, and my duty as regards the measure now under consideration, require something more at my hands.

Mr. Chairman, when the proposition was introduced, at the other end of the Capitol, to repeal the Missouri compromise, I believed, and I fondly thought with good reason, that the sons of Kentucky on this floor, driving from "their bosoms by the expulsive power of noble feelings" all party and sectional jealousies, would stand as one man in support of that compromise with which the name of their own great statesman was so honorably connected. So far from doing this, Representatives from that State have labored hard to show that Mr. Clay had little to do with that great measure, and that of no very creditable character.

On the 25th of March last, the gentleman from whose oratory address I have read, made a speech in favor of the measure before the committee, and from that I beg leave to read a few extracts:

"I have heard gentleman here glorify Mr. Clay as the author of the act of 1820, prohibiting slavery north of 36° 30', and invoke his memory to resist its violation. They must invoke some other spirit than Mr. Clay's, for he was not its author."

After quoting from, and commenting on that act, he adds:

"This was the agreement on the one hand for the benefit of Missouri, and, if you choose, of the South. On the other hand, slavery was to be prohibited north of 36° 30', and this was for the benefit of the North. The terms and conditions on each side were clearly expressed; but with it Mr. Clay had nothing to do."

The gentleman then refers to the Missouri act of 1821, and, in his comments upon it, says:

"It is due to the memory of the illustrious author of this 'fundamental condition' to say that no one could be more sensible than himself of the intense humbuggery of the whole proceeding."

So Mr. Clay had nothing to do with the act of 1820! The act of 1821 was "intense humbuggery!"

Sir, I do not propose to comment upon these extracts. I will not comment upon the course of those here or elsewhere who seek to repeal the Missouri compromise. I will not comment on the conduct of those who claim the bill before us as a measure of peace, the legitimate offspring of the measures of 1850. I submit whether there is not a fitting commentary upon all these in the gentleman's own eloquent and just remarks which I now read from his obituary address:

"He never paltered in a double sense. The country never was in doubt as to his opinions or his purposes. Sir, standing by the grave of this great man, and considering these things, how contemptible does appear the mere legerdemain of politics! What a reproach is his life on that false policy which would trifle with a great and upright people! If I were to write his epitaph, I would inscribe as the highest eulogy on the stone which shall mark his resting place, 'Here lies a man who was in the public service for fifty years, and never attempted to deceive his countrymen.'"

Mr. Chairman, much has been said about the injustice of keeping Missouri out of the Union. My own impression, before looking at dates, was, that she was kept out for a long time. But how

is this. The act of 1820 was preparatory to admission, and under this act she came to Congress, with her constitution, at its next session, and in less than three months after her application, the act of 1821 was passed, under which Missouri is now one of the sovereign States of this great Confederacy. Sir, the present Congress has been in session nearly six months, and I ask what law of great benefit to the American people has been enacted? The improvement of rivers and harbors in which Missouri herself and Illinois, and all the States bordering on the great rivers and lakes of the interior, and, I may add, the whole Union are so vitally concerned, is an unwritten page in the record of our doings. For aught that we know, that subject is not to have a decent burial in the "tomb of the Capulets." It would be some consolation to its friends to know that it has not found its last resting place in a less imposing vault in the basement of the Capitol.

But I return to the subject, and desire to call the attention of the committee to resolutions passed at the national conventions, at Baltimore, in 1852. I read first from the Democratic platform:

"IV. *Resolved*, That the foregoing proposition covers, and was intended to embrace, the whole subject of slavery agitation in Congress; and therefore the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures settled by the last Congress, 'the act for reclaiming fugitives from service or labor' included; which act, being designed to carry out an express provision of the Constitution, cannot with fidelity thereto be repealed or so changed as to destroy or impair its efficiency.

"V. *Resolved*, That the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made."

The Whig platform has this:

"VIII. The series of acts of the Thirty-First Congress, commonly known as the compromise or adjustment, (the act for the recovery of fugitives from labor included,) are received and acquiesced in by the Whigs of the United States as a final settlement, in principle and substance, of the subjects to which they relate," &c.

These resolutions have frequently been referred to, and it has pertinently and significantly been asked whether the measure now before us accords with their letter and their spirit. I wish to inquire how came these planks into their respective platforms? The history of those conventions shows that they were placed there by southern men, not to indorse a great principle which was to destroy the Missouri compromise and create agitation. That was not thought of; but to indorse the fugitive slave law, and prevent agitation. Look at the resolutions. "The act for the recovery of fugitives," or "reclaiming fugitives," is specifically mentioned, and no other. Then the word compromise was not so odious in certain quarters as now. The other acts of 1850 were coupled with the fugitive slave law, the mantle of compromise was thrown over all, and these resolutions were commended to and received by the American people as a final quietus to slavery agitation. It is for the high priests of party to reconcile this measure of agitation, by them brought upon the country, with their solemn resolves at Baltimore.

I pass to later events, to which I have already alluded. Here in this Hall, and at yonder end of the Capitol, in these high places where the acts of 1850 became laws, where the object and effect of those laws were best understood, no man had the hardihood to declare, during the last session of Congress, that those acts repealed, or in anywise

impaired, the Missouri compromise. On the 2d February, 1853, a bill was reported to this House by the chairman of the Committee on Territories, [Mr. RICHARDSON,] for the organization of Nebraska. It contained no repeal of the Missouri compromise. It was here discussed, but no one on this floor pretended that the Missouri act was in any wise impaired in "principle or in substance." It is true that a laugh was got up at the expense of the gentleman from Ohio, [Mr. GIDDINGS,] for not offering the ordinance of 1787; but that "laugh-ter" served to show how ridiculous it would have been for him to propose to apply that ordinance to territory where it was already in full force.

The only serious objection made to the bill was that it violated Indian treaties and Indian rights. On the 10th of February the bill passed by a vote of 98 to 43, northern and southern members voting for, and northern and southern members voting against its passage; and *all* the members from Missouri advocating or voting for the bill. It went to the Senate, was referred to the Committee on Territories, and on the 17th of February, Mr. DOUGLAS, chairman of that committee, reported it back without amendment. On the 21 March, 1853, Mr. DOUGLAS moved to take it up. Mr. Rusk objected, "That bill will lead to debate." Mr. DOUGLAS replied "Not at all; there is only one isolated point which will lead to debate."

That point, as is evident from discussion, had on that day and the 3d day of March, was that the bill interfered with Indian rights. That objection was then, as recently, urged by Messrs. BELL and HOUTSON, and other Senators.

On the 3d day of March, Mr. DOUGLAS again moved to take up the Nebraska bill. It was again discussed, but not a whisper was uttered about the validity of the Missouri compromise. On the contrary, Mr. ATCHISON, of Missouri, said—

"I have always been of opinion that the first great error committed in the political history of this country was the ordinance of 1787, rendering the Northwest Territory free territory. The next great error was the Missouri compromise. But they are both irremediable. There is no remedy for them. We must submit to them. I am prepared to do it. It is evident that the Missouri compromise cannot be repealed. So far as that question is concerned, we might as well agree to the admission of this Territory now as next year, or five or ten years hence."—*Congressional Globe*, second session, 32d Cong., vol. 26, page, 1113.

—and urged the passage of the bill. In the last moments of the session of that day, in the very hour, perhaps, which divided the Administration of Millard Fillmore from the Administration of Franklin Pierce, Mr. DOUGLAS again urged the passage of the bill in these words:

"My anxiety for the passage of the bill induces me to yield the advantage of explaining its provisions, with the hope that we might get an immediate vote upon the subject. It is an act that is very near my heart," &c.

Mr. Chairman,

"On what a slender thread hang everlasting things!"

Had there on that night been a quorum in the Senate, had the Senate then passed that bill, the country would have been saved an excitement upon the subject of slavery, the end of which is beyond human foresight. Congress would now be legislating upon questions affecting the best interests of the Union, and the entire Union. You, (Mr. OLDS in the chair,) and I, sir, might have been deliberating how best to improve the navigation of our own noble rivers; how to connect, by railroad, the valley of the Mississippi with the coast of the Pacific and the commerce of the Indies.

I come down to the present Congress. At an

early day in this session, an honorable Representative of Missouri, [Mr. MILLER,] who, but a day or two since, with new-born zeal, so ably advocated the bill before us, introduced into this House a bill organizing the Territory of Nebraska, containing not one word repealing the Missouri compromise. At the other end of the Capitol a bill was, on the 4th of January, introduced by Mr. DOUGLAS, not for two Territories, but one, Nebraska, accompanied by a report, from which I read an extract:

"Your committee do not feel themselves called upon to enter into the discussion of these controverted questions. They involve the same grave issues which produced the agitation, the sectional strife, and the fearful struggle of 1850.

"Congress deemed it wise and prudent to refrain from deciding the matters in controversy then, either by affirming or repealing the Mexican laws, or by an act declaratory of the true intent of the Constitution and the extent of the protection afforded by it to slave property in the Territories; so your committee are not prepared now to recommend a departure from the course pursued on that memorable occasion, either by affirming or repealing the eighth section of the Missouri act, or by any act declaratory of the meaning of the Constitution in respect to the legal points in dispute."

Up to the 4th day of January, then, the Missouri compromise was safe. It was not necessary to disturb it either by "affirming or repealing." Sir, a change came over the spirit of men's dreams. Suddenly, and without preparation, a revelation, more marvelous, more astounding, than any ever delivered by the Mormon prophet to his credulous followers, was proclaimed at the other end of this Capitol. "Wonderful to relate," the Missouri compromise was dead! Without a groan, without a gasp, without the notice of its friends, without the knowledge of its enemies, it had expired amid the tumultuous scenes of 1850; and to convince the world of its death at that particular time, evidence was produced to prove that it was murdered in 1821, butchered in 1836, and "kilt entirely" on several subsequent occasions! More wonderful still, out of the ashes of that compromise had sprung a young phoenix, which had sung and would sing the "lullaby" to slavery excitement until the end of time.

The amendment of Mr. Soulé to the territorial bills of Utah and New Mexico, adopted in the Senate June 17, 1850, which Mr. Webster declared was to apply to "New Mexico and Utah and other territory acquired from Mexico, and nothing else," and which as to them, in his judgment, meant *nothing*, which no Senator, Representative, lawyer, or politician had ever claimed as having any bearing upon the Missouri compromise, was all at once discovered to contain a principle which had superseded that compromise, to wit: the right of self-government. I have yet to learn that any one on this floor denies the correctness of a principle which lies at the foundation of our free institutions. I take it that the representatives of the people of the thirty-one States of this Union are here this day in the exercise of this very principle. I take it, sir, that if, in our judgment, the interests and prosperity of the country require that slavery, with its evils, shall be excluded from territories which are the common property of all, we may so exclude it, in the full and legitimate exercise of this very principle, just as we might prohibit the charter of banks, or of lotteries, or of gambling tables, or whatever else may be deemed injurious to the prosperity of those territories.*

It is not the correctness of the principle which is in dispute. The question is, rather, what has it to do with the measure now before us? What are its bearings upon past legislation upon the subject of slavery, and what are to be its effects upon the future? These are points upon which the advocates of the repeal of the Missouri compromise differ as widely among themselves as they do with those who oppose it.

Why, sir, even the author of the bill, the honorable Senator who claims the credit of discovering this sovereign panacea for allaying slavery excitement, cannot agree with himself upon the effects of his all-healing principle.

In his speech of the 30th January, Mr. DOUGLAS says:

"I sustained the Missouri compromise so long as it was in force, and advocated its extension to the Pacific. Now, when that has been abandoned, when it has been superseded, when a great principle of self government has been substituted for it, I choose to cling to that principle, and abide in good faith, not only by the letter, but by the spirit of the last compromise."

By the 2d of March, when he made his second speech, he had discovered that this great principle, which, after lying dormant for more than three years, on the 30th of January possessed such immense efficacy, had, after all, in no wise repealed the Missouri compromise. By some means the terms "inconsistent with," and "inoperative and void," had superseded the word "superseded," and it was found that, instead of the principle (though grown to be a "great fundamental principle!") having repealed the Missouri compromise, it was necessary to repeal that compromise in order to give effect to the principle. I read from the speech of March 2:

"In order to carry this principle into practical operation, it becomes necessary to remove whatever legal obstacles might be found in the way of its free exercise. It is only for the purpose of carrying out this fundamental principle of self government that the bill renders the eighth section of the Missouri act inoperative and void."

Oh, yes; it was *merely* "necessary" to remove that legal obstacle, of which the honorable Senator had said at Springfield in October, 1849, as already quoted by my eloquent colleague [Mr. YATES:]

"That it had its origin in the hearts of all patriotic men who desired to preserve and perpetuate the blessings of our glorious Union—an origin akin to that of the Constitution of the United States, conceived in the same spirit of fraternal affection, and calculated to remove forever the only danger which seemed to threaten, at some distant day, to sever the social bond of union. All the evidences of public opinion at that day seemed to indicate that this compromise had become canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever be reckless enough to disturb."

The objects are various; but what is the pretense for the measure proposed? It is made most prominent in every speech in its favor on this floor, and is repeated and reiterated in every newspaper which advocates it through the land. Its professed object is to carry out a great principle of

any species of property by law from any Territory is a violation of any right to property. Do you not exclude banks from most of the Territories? Do you not exclude whisky from being introduced into large portions of the territory of the United States? Do you not exclude gambling tables which are properly recognized as such in the States where they are tolerated? And has any one contended that the exclusion of gambling tables and of ardent spirits was the violation of any constitutional privilege or right? And yet it is the case in a large portion of the Territory of the United States; but then—no outcry against that, because it is the prohibition of a specific kind of property, and not a prohibition against any section of the Union."

* June 3, 1850. Mr. DOUGLAS said in the Senate:

"But, sir, I do not hold the doctrine that to exclude

liberty, and to give peace to the country upon the subject of slavery.

Sir, the Roman conspirators who struck down and bathed their arms up to the elbows in the blood of Cæsar, went forth to the market place with the cry of "Peace! Freedom! and Liberty!" Did they bring peace upon their country? No, sir. War, cruel and unnatural war, in which Roman blood, shed by Roman hands, flowed like water. Did they achieve freedom? No, sir; the humiliating domination of petty tyrants, and they the conspirators, found early and bloody graves. Brutus "the noblest Roman of them all," with the name of his murdered friend upon his lips, threw himself upon his own sword at Philippi.

It is vain for gentlemen to cry Peace! Peace! while advocating and forcing upon us a measure more than any other calculated to arouse the storms of discord. It is worse than vain for them to invoke the genius of liberty, while by their own act, they throw open to slavery a land long since consecrated to freedom! It is an insult to the intelligence of the American people to say that you establish the principle of popular sovereignty in these Territories, when by the bill before us you give to one man the power to appoint Governors and judges, and other officers, to execute and expound, and administer their laws—a power in the hands of the President almost as arbitrary as that exercised by the King of Great Britain over his Colonies.

But, sir, much has been said about honor and plighted faith, as connected with the Missouri compromise. It has been repeatedly shown, that a few northern men, who, so far from representing the views of the free States, acted in open violation of the wishes of their own constituents, united with the South and passed the act of 1820; and the same may be said of the act of 1821.

Suppose, sir, that, in some fearful emergency, the gentleman from New York, who sits next me, [Mr. HAVEN,] saves my life at the hazard of his own; another emergency arises in which his life is in peril, and it is in my power to save, would I be excused from doing it, even if abused and insulted by every other citizen of Buffalo? Sir, if I have any just conception of the high and ennobling sentiments of gratitude and of honor, they would impel me, in defense of the life of my former preserver, to throw myself upon the horns and before the feet of the most terrific herd of buffaloes that ever rushed in mad career over the plains of Nebraska. Nay, more, sir; if the occasion did not offer in my lifetime to pay that debt, I would enjoin it as a sacred trust upon my legal representatives to discharge the same, with interest, whenever and wherever presented by him, his heirs, or executors.

If those few men of the North who united with the men of the South in making the Missouri compromise could be called from the spirit world and heard on this floor, I apprehend they would raise a voice of remonstrance against this measure which would reach the southern heart. Might they not properly say: "Men of the South, we are they who made this compromise with your illustrious sires; at a fearful crisis in the affairs of the Republic, they and we made a sacrifice of our sectional interests and sectional feelings upon the altar of our common country. We made between the North and the South what we believed a just and equitable partition of the common territory of the nation, and upon it, in the spirit of amity

and concord, we crossed our right hands. It is true, we were censured, vilified, persecuted by our constituents for the act, but we never wavered. We ever kept our 'plighted faith.' Your sires ever maintained theirs. Men of the South, the sacred agreement which we made with your fathers is about to be trodden in the dust. You can avert this calamity. Do it, and show yourselves their worthy successors; do it, and preserve their honor and your own honor untarnished."

Mr. Chairman, the North has ever dealt justly, generously by the South. Of the Territories added to the Union after its formation, the South has more than her proportion. It was a northern man who named George Washington Commander-in-Chief of the Army of the Revolution, and from that day to this the North has conceded to the South a more than equal portion of the places of honor, and profit, and responsibility, within the gift of the people and the Government. This was clearly and forcibly shown by my colleague, [Mr. BISSELL,] in a speech made on this floor in February, 1850—a speech, I may add, by which that distinguished gentleman gained a character for bold and manly eloquence "not less renowned" than that for valor before achieved on the battle-fields of Mexico. Mr. Chairman, I regret that he is not now among us to aid in our deliberations. I regret more the illness which keeps him from his seat, and in this feeling this House and the country will most cordially unite with me.

Slavery is an evil; it is admitted to be so. The few who deny this cannot affect the sentiment of the many who declare slavery to be the dark stain upon the bright escutcheon of our country. Sit down with some patriotic Englishman, and discuss with him the merits of his Government and your own. On many things which constitute the fame, the wealth, and the greatness of both countries, each will be well satisfied with his own position; but you will be apt to remind him that in two memorable eras of your common history Young America triumphed over Old England on the ocean and the land. Regarding this as rather offensive, he will be pretty sure to retort, "With all your boasted freedom, you have slavery in its worst form."

"Slaves cannot breathe in England. If their lungs

Receive our air, that moment they are free;

They touch our country, and their shackles fall."

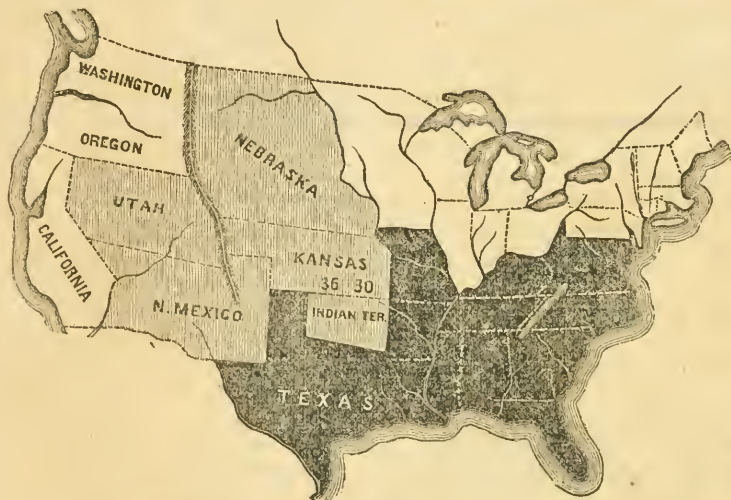
And what is your reply to this? It is found as the climax of the wrongs inflicted upon the Colonies by the King of Great Britain, which Jefferson placed in the draft of the Declaration of our Independence:

"He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, capturing and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel power, is the warfare of the Christian King of Great Britain. Determined to keep open a market where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce."

If this bill should pass—if slave States should be formed out of these Territories—may it not happen that citizens of those States, seeing and feeling the inconsistency and evils of slavery, will throw upon this Congress the blame for its existence there? Others must and will act as they please upon this subject. As for me, when my brief career shall be run, when my name shall be forgotten, no citizen or Representative from any of those States

"I never can, and never will, and no earthly power will make me, vote to spread slavery over territory where it does not exist."

What matters it, if standing with some friend upon the fearful brink of the cataract of Niagara, he, by some false step, loses his balance and seizes my hand to save him from destruction; what matters it, I ask, whether, at that perilous moment, I wrench from him the hand which is able save, or while he stands in safety by my side, gazing upon the sublimity of the scene, with that same hand



Of Texas and Kansas. In so small a map it is impossible to present exact boundaries. It is proper to add, that by the acts of 1850 there was left in Texas, *north of* 36° 30', a strip of territory one and a half degrees of latitude in width, and three degrees of longitude in length; nearly three times as large as Massachusetts. Two thirds of this is, by the present bill, thrown into Kansas. This is not seen in the map.

The following extracts from the acts of Congress are given to show that the "compromise measures" of 1850 recognized the Missouri compromise:

“The eighth section of an act, entitled ‘An act to authorize the people of Missouri Territory to form a constitution and state government, and for the admission of said State into the Union on equal footing with the original States, and to prohibit slavery in certain Territories,’ approved March 5th, 1820, contains the following enactment: ‘Provided, That in all that Territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30' north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall be duly convicted, be and is hereby

I thrust him down the fatal abyss? Sir, in the
forum of conscience, in the eye of man and of God,
I am as guilty of the blood of my fellow-man in
the one case as the other. Gentlemen on this
floor say—the bill itself says—you are not legis-
lating slavery into these Territories. Oh, no;
by the heavens, you are! Every man here
merely acquiesces in it. You are very aware
of Kansas

will, and
tly or in-
where it
olds her
seat in my
exam—never, while my heart sends
the vital fluid through my veins—NEVER!

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forever prohibited: *Provided always*, That any person escaping into the same from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully claimed and conveyed to the person claiming his or her labor or service, as aforesaid.”

“The third article of the second section of the joint resolutions for annexing Texas to the United States, approved March 1, 1845, among other things, provides, that the New States, of convenient size, not exceeding four, in number, in addition to the State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said territory lying south of 36° 30' north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery or involuntary servitude, (except for crime,) shall be prohibited.”

"The fifth proposition of an act entitled 'An act proposing to the State of Texas the establishment of her northern and western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a territorial government for New Mexico,' approved September 9, 1850, among other things, provides as follows: 'Provided, That nothing herein contained shall be construed to impair or qualify anything contained in the third article of section second of joint resolutions for annexing Texas to the United States,' approved March 1, 1845, either as regards the number of States that may hereafter be formed out of the State of Texas, or otherwise."

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